

MAR 8 - 2019

SENATE CONCURRENT RESOLUTION

REQUESTING CONGRESS TO ENACT LEGISLATION TO REMOVE CANNABIS FROM
THE FEDERAL CONTROLLED SUBSTANCES ACT AND FACILITATE
PRIVATE BANKING SERVICES FOR CANNABIS-RELATED BUSINESSES
UNDER FEDERAL LAW.

1 WHEREAS, thirty-three states, four United States
2 territories, and the District of Columbia have authorized the
3 use of medical cannabis; thirteen states and the United States
4 Virgin Islands have decriminalized cannabis; and ten states, the
5 Northern Marianas Islands, District of Columbia, and three
6 Native American tribes have legalized adult-use cannabis; and
7

8 WHEREAS, data submitted by the State of Hawaii Department
9 of the Attorney General to the United States Department of
10 Justice over the past decade indicates that there are over 1,000
11 arrests for cannabis possession in Hawaii each year, including
12 hundreds of juveniles who might not otherwise encounter the
13 criminal justice system, and that Native Hawaiians are
14 disproportionately arrested for cannabis possession; and
15

16 WHEREAS, Hawaii passed its medical cannabis statute via Act
17 228, Session Laws of Hawaii 2000, and authorized the
18 establishment and regulation of medical cannabis dispensaries
19 via Act 241, Session Laws of Hawaii 2015; and
20

21 WHEREAS, there are currently over 24,000 medical cannabis
22 patients registered with the Hawaii Department of Health; and
23

24 WHEREAS, continued scheduling of cannabis under the federal
25 Controlled Substances Act impairs the ability of medical
26 cannabis dispensaries and other cannabis-related businesses to
27 operate without the prospect of federal seizures, forfeitures,
28 arrests, and other enforcement and prosecutorial actions; and
29

30 WHEREAS, alcohol and tobacco remain outside of the purview
31 of the Controlled Substances Act and have significant negative



1 impacts on individual and public health, including physical
 2 injuries, psychological and social harm, and the onset of
 3 chronic, often fatal illnesses related to regular use; and
 4

5 WHEREAS, Hawaii's medical cannabis dispensaries and other
 6 cannabis-related businesses, including those providing goods,
 7 services, property, and facilities to cannabis-related
 8 businesses, are hampered by the inability to obtain the full
 9 spectrum of private banking services under federal law; and
 10

11 WHEREAS, legislation has been introduced in recent years by
 12 members of Congress to remove cannabis from the Controlled
 13 Substances Act and facilitate the full spectrum of banking
 14 services, including deposit insurance, for cannabis-related
 15 businesses; now, therefore,
 16

17 BE IT RESOLVED by the Senate of the Thirtieth Legislature
 18 of the State of Hawaii, Regular Session of 2019, the House of
 19 Representatives concurring, that Congress is requested to enact
 20 legislation that will remove cannabis from the federal
 21 Controlled Substances Act and facilitate the full spectrum of
 22 private banking services for cannabis-related businesses under
 23 federal law; and
 24

25 BE IT FURTHER RESOLVED that certified copies of this
 26 Concurrent Resolution be transmitted to the President of the
 27 United States, Vice President of the United States, President
 28 Pro Tempore of the United States Senate, Majority Leader of the
 29 United States Senate, Speaker of the United States House of
 30 Representatives, Minority Leader of the United State Senate,
 31 Minority Leader of the United States House of Representatives,
 32 and Hawaii's congressional delegation.
 33
 34
 35

OFFERED BY:

DC. Rich Agana

Clarence D. Rusk

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